

BY CULBERTSON OF CARROLL BY REQUEST.]

[HOUSE FILE No. 400.—JUDICIARY.]

A BILL

FOR AN ACT RELATING TO THE TRIAL OF EQUITABLE ACTIONS.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. That in equitable actions all issues of fact shall hereafter be tried upon oral
2 evidence taken in court, except that depositions may be used as now provided by law, and
3 upon appeal no evidence shall go to the Supreme Court except such as may be necessary to
4 explain any exception taken in the cause, and such court shall so try the case only on the
5 legal errors so presented.

SEC. 2. This act shall apply to all equitable actions tried after the passage of this act and
2 the trial thereof on written evidence as heretofore practiced is hereby abolished.

SEC. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby
2 repealed ; *provided*, that in all equitable actions tried before the passage of this act, the pro-
3 ceedings thereon shall be the same in all respects including an appeal to the Supreme Court,
4 as though this act had not been passed.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force
2 from and after its publication in the Iowa State Register and the Des Moines Leader, news-
3 papers published at Des Moines, Iowa.